

JC10 Rec'd PCT/PTO 11 MAY 2005

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>036222-0212</b>
INTERNATIONAL APPLICATION NO. PCT/US2003/036237	INTERNATIONAL FILING DATE 12 Nov 2003 (12.11.2003)	U.S. APPLICATION NO. (if known, per 37 C.F.R. 1.5) TO BE ASSIGNED <b>10/534605</b> PRIORITY DATE CLAIMED 12 Nov 2002 (12.11.2002)
TITLE OF INVENTION ADENOVIRAL VECTOR VACCINE		
APPLICANT(S) FOR DO/EO/US Albert B. DEISSEROTH and Lixin ZHANG		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Certificate of Mailing, Copies of Transmittal for Charging Deposit Account, Postcard</p>		

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U.S. APPLICATION NO. (known) see 37 CFR 1.51 <b>TO BE ASSIGNED 4605</b>		INTERNATIONAL APPLICATION NO. PCT/US2003/036237		ATTORNEY'S DOCKET NUMBER 036222-0212	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/> Basic national fee		\$300		\$	300.00
22. <input checked="" type="checkbox"/> Examination fee				\$	200.00
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100			
All other situations		\$200			
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared and provided to the Office		\$400			
All other situations		\$500		\$	100.00
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>				\$	600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
35	- 100 = 0	/50 =	0	x \$	250.00
				\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	34	- 20 = 14	x \$	50.00	\$ 700.00
Independent Claims	1	- 3 = 0	x \$	200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$	360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1430.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				+	\$ 715.00
<b>SUBTOTAL =</b>				\$	715.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	715.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	715.00
				Amount to be refunded:	
				charged:	
<p>a. <input type="checkbox"/> A check in the amount of \$0.00. to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of \$715.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Richard J. WARBURG Foley &amp; Lardner LLP P.O. Box 80278 San Diego, CA 902138-0278 U.S.A.</p> </div> <div style="width: 45%; text-align: right;"> <p></p> <p>SIGNATURE <b>Barry S. WILSON</b> NAME <b>REG NO: 39,431</b> REGISTRATION NUMBER</p> </div> </div>					

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**DOCUMENTS:**

- (1) Certificate of Mailing
- (2) Transmittal Letter to the United States  
Designated/Elected Office (DO/EO/US)  
Concerning a filing under 35 U.S.C. 371
- (3) Application Data Sheet
- (4) Copies of Transmittal Sheet for Charging Deposit Account
- (5) Postcard

**DOCKET NO.:** 036222-0212  
**BASED ON:** International Application PCT/US2003/036237  
International Filing Date: 12 Nov 2003 (12.11.2003)  
Claimed Priority Date: 12 Nov 2002 (12.11.2002)  
Titled: "ADENOVIRAL VECTOR VACCINE"

**MAILING:** Via Express Mail Label No.: EL 990318165 US

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**EXPRESS MAIL MAILING LABEL NUMBER:** EL 990318165 US

**DATE OF DEPOSIT:** 11 May 2005

I HEREBY CERTIFY THAT THIS PAPER AND/OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ARLINGTON, VA 22313-1450.

Sandra A'Costa

(Typed or Printed Name of Person Mailing Papers)

  
Signature